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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,864	04/10/2001	Hans Carlsson	4015-5117	6952
24112	7590	01/24/2008		
COATS & BENNETT, PLLC 1400 Crescent Green, Suite 300 Cary, NC 27518			EXAMINER HO, CHUONG T	
			ART UNIT	PAPER NUMBER
			2619	
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			01/24/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/828,864

Applicant(s)

CARLSSON ET AL.

Examiner

CHUONG T. HO

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on amendment after final 01/02/08.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 47-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 47-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The amendment after final rejection filed 01/02/08 have been entered and made of record.

### ***Response to Arguments***

2. Applicant's arguments filed 01/02/08 have been fully considered but they are not persuasive. In the page 5, the applicant argues "Carlsson never discusses the origination of packets at a mobile terminal operating in a TIA/EIA-136 network".

However, the examiner respectfully disagrees with the assertion.

Carlsson discloses the origination of packets at a mobile terminal operating in a TIA/EIA-136 network (col. 5, lines 33-35, a mobile station functionally must register with the SGSN 32 to receive packet data service, col. 4, lines 63-65) (figure 5, MT) in a circuit-switched network (col. 8, lines 5-10, a TIA/EIA – 136 network, col. 3, lines 66-67, col. 4, lines 1-2). Therefore, Carlsson discloses the origination of packets at a mobile terminal operating in a TIA/EIA-136 network as claimed.

3. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 47 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which

was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. An Interworking function for connecting a TIA / EIA -136 network to a General Packet Radio Service (GPRS) network, said interworking function comprising: A teleservice server for transferring packet data to and from a mobile station operating in said TIA/EIA-136 network .

4. The claims 47-54 are pending.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 47-48, 50, 51-52, 54 are rejected under 35 U.S.C. 102(e) as being anticipated by Carlsson et al. (U.S. Patent No. 7,092,381).

In the claim 47, Carlsson discloses an interworking function (figure 5, interworking function 102) for connection a TIA/EIA-136 network (figure 5, Q, col. 8, lines 5-10) to a

general Packet Radio Service (GPRS) network (figure 5, GPRS-SC 40, col. 8, lines 1-40), said interworking function (figure 5, 102, abstract) comprising:

A teleservice server for transfer packet data to and from a mobile station operating in said TIA/EIA-136 network (see abstract);

A first communications interface (figure 5, Q, abstract, first interface) for connecting said teleservice server to said TIA/EIA 136 network (see abstract, figure 5, col. 8, lines 1-40);

A second communications interface (figure 5, Gm, second interface) for connecting said teleservice server to said GPRS network (see abstract, figure 5, col. 8, lines 1-40);

Interworking function (figure 5, interworking function 102) enabling packet data traffic to be routed between said GPRS network and said mobile station (figure 5, MT) operating in said TIA/EIA-136 network (see abstract, figure 5, col. 8, lines 1-40).

3. In the claim 48, Carlsson discloses GPRS network comprising an Enhanced GPRS (EGPRS) network (see figure 5, col. 8, lines 1-40).

4. In the claim 50, Carlsson discloses second interface uses the Base Station Subsystem GPRS Protocol to transfer packet data to and from said GPRS network (see figure 5, col. 8, lines 1-40).

5. In the claim 51, Carlsson discloses a system of providing packet data services, comprising: receiving mobile originated packets at a teleservice server via a first communications interface from a mobile station via a TIA/EIA-136 network (figure 5, Q, col. 8, lines 5-10) (figure 5, col. 8, lines 1-40);

Forwarding said mobile originated packets via a second communications interface from said teleservice server to a General Packet Radio Service (GPRS) network (see abstract, figure 5, col. 8, lines 1-40);

Receiving mobile terminated packets for said mobile station at said teleservice server via said second communications interface from said GPRS (see abstract, figure 5, col. 8, lines 1-40);

Forwarding said mobile terminated packets via said first communications interface from said teleservice server to said mobile station (see abstract, figure 5, col. 8, lines 1-40).

6. In the claim 52, Carlsson et al. disclose wherein said GPRS network comprises an Enhanced GPRS (EGPRS) network (see abstract, figure 5, col. 8, lines 1-40).

7. In the claim 54, Carlsson et al. disclose wherein said second interface uses the Base Station Subsystem GPRS Protocol (BSSGP) to transfer packet data to and from said GPRS network (see abstract, figure 5, col. 8, lines 1-40).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 49, 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlsson (U.S. Patent No. 7,092,381 B2) in view of Baker et al. (U.S. No. 2005/0197155 A1).

In the claims 49, Carlsson discloses the limitations of claim 47 above.

However, Carlsson is silent to disclosing the General UDP Transport Service to transfer packet data to and from said mobile station.

Baker et al. disclose the General UDP Transport Service to transfer packet data to and from said mobile station (see page 5, [0067]).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Carlsson with the teaching of Baker to provide the General UDP Transport Service to transfer packet data to and from said mobile station in order to improve the efficiency of radio resource usage and increase the overall wireless system capacity in a region.

10. In the claim 53, claim 53 is rejected the same reasons of claim 49.

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571) 272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ORGAD EDAN can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

01/22/08



HO, CHUONG

01/22/08